

**FILED**

APR - 2 2020

AO 471 (12/03) (Rev. 03/06 WDTX) Order of Temporary Detention

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF TEXAS**  
**SAN ANTONIO DIVISION**

CLERK, U.S. DISTRICT COURT  
 WESTERN DISTRICT OF TEXAS  
 BY                      DEPUTY CLERK

USA

§  
§  
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§  
§

**ORDER OF TEMPORARY DETENTION TO  
 PERMIT REVOCATION OF CONDITIONAL  
 RELEASE, DEPORTATION OR EXCLUSION**

vs.

(1) Tyrin Malik Foley

Case Number: SA:20-CR-00100(1)-XR

*Defendant*

I find that the Defendant:

☒ is, and was at the time the alleged offense was committed:☒ on release pending trial for a felony under federal, state or local law.☐ on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence, for an offense under federal, state, or local law.☒ on probation, supervised release, or parole for an offense under federal, state, or local law; or☐ is not a citizen of the United States or lawfully admitted for permanent residence as defined at 8 U.S.C. § 1101 (a)(20).

I further find that the Defendant may:

☐ flee, and/or ☒ pose a danger to another person or the community.

I accordingly ORDER the detention of the defendant without bail to and including

**Tuesday, April 14, 2020 at 10:00 AM**, which is not more than ten days from the date

of this Order, excluding Saturdays, Sundays, and holidays, at which time a **ARRAIGNMENT / DETENTION HEARING** will be held, before U.S. Magistrate Judge **HENRY J. BEMPORAD** in Courtroom A, on the 4th Floor in the John H. Wood, Jr. United States Courthouse, 655 East Cesar E. Chavez Boulevard, San Antonio, TX.

I further direct the attorney for the Government to notify the appropriate court, probation or parole official, or state or local law enforcement official, or the appropriate official of the Immigration and Naturalization Service so that the custody of the Defendant can be transferred and a detainer placed in connection with this case.

If custody is not transferred by the above date, I direct the production of the Defendant before me on that date so that further proceedings may be considered in accordance with the provisions of 18 U.S.C. § 3142.

April 02, 2020

*Date*

  
 HENRY J. BEMPORAD  
 UNITED STATES MAGISTRATE JUDGE

6/7/2011 Notice of Waiver of Personal Appearance at Arraignment

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

USA

vs.

(1) Tyrin Malik Foley

§  
§  
§  
§  
§

Case Number: SA:20-CR-00100(1)-XR

**NOTICE OF WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT AND  
ENTRY OF PLEA OF NOT GUILTY  
WAIVER OF MINIMUM TIME TO TRIAL**

NOW COMES Defendant in the above-referenced case who, along with his/her undersigned attorney, hereby acknowledges the following:

- 1) Defendant has received a copy of the charging document in this case.
- 2) Defendant has read the charging document or had it read to him/her.
- 3) Defendant understands he/she has the right to appear personally with his/her attorney before a Judge for Arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he/she will be so arraigned in open Court.

Defendant, having conferred with his/her attorney in this regard, hereby waives personal appearance with his/her attorney at the arraignment of this case and the reading of the charging document and, by this instrument, tenders his/her plea of "not guilty". The defendant understands that entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes. Defendant request the Court accept his/her waiver of appearance and entere a plea of "not guilty."

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Name of Attorney for Defendant (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Attorney for Defendant

**ALL WAIVER FORMS MUST BE FILED IN THE CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON THE DAY BEFORE THE SCHEDULED DATE OF ARRAIGNMENT. IF A WAIVER FORM IS NOT SUBMITTED BY THAT TIME, THE DEFENDANT AND DEFENDANT'S ATTORNEY MUST APPEAR FOR THE ARRAIGNMENT AS SCHEDULED.**

4) Defendant understands that he/she has a right to a minimum period of time to trial so that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se. Defendant further understands that, absent the present waiver, he/she will not be brought to trial during this thirty (30)-day period.

Defendant, having conferred with his/her attorney in this regard, hereby **WAIVES** the requirement that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Name of Attorney for Defendant (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Attorney for Defendant

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**NOTICE OF RIGHT TO CONSENT  
TO DISPOSITION OF A MISDEMEANOR**

The U.S. Magistrate Judge may conduct proceedings in any and all Class A misdemeanor cases, including a jury or non-jury trial, if the defendant voluntarily consents thereto, and for Class B and C misdemeanors and infractions regardless of consent.

**PLEASE INDICATE ONE OF THE FOLLOWING WITH A CHECK MARK:**

\_\_\_\_\_ **I DO CONSENT TO MAGISTRATE JUDGE JURISDICTION.**

\_\_\_\_\_ **I DO NOT CONSENT TO MAGISTRATE JUDGE JURISDICTION.**

**NO RESPONSE OR OMISSION OF THIS PAGE WILL BE INTERPRETED AS NOT CONSENTING TO MAGISTRATE JUDGE JURISDICTION AND CASE WILL BE ASSIGNED TO A U.S. DISTRICT JUDGE.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Name of Attorney for Defendant (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Attorney for Defendant

6/7/2011 Waiver of Detention Hearing

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

USA

vs.

(1) Tyrin Malik Foley

§  
§  
§  
§  
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NO: SA:20-CR-00100(1)-XR

**WAIVER OF DETENTION HEARING**

At the initial appearance, the government requested that I be detained without bond pending trial pursuant to Title 18 U.S.C. Section 3142(f).

I am aware of my right to a detention hearing and to require the government to meet its burden of proving that no conditions of release exist which will reasonably assure my appearance in court and the safety of the community. I know that if I waive my detention hearing, I will remain in custody pending trial. By signing this Waiver of Detention Hearing I acknowledge that I have no questions and understand my rights and the consequences of waiving those rights, and agree to be detained without bond pending trial.

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**Date**

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**Defendant**

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**Name of Attorney for Defendant (Print)**

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**Date**

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**Signature of Attorney for Defendant**